Freedom of Information and Protection of Privacy
Review Office

Annual Accountability Report 2004-2005

The **Review Office** provides independent oversight for the ***Freedom of Information and Protection of Privacy Act*** and ***Part XX of the Municipal Government Act***.

The Review Officer is appointed by Order-in-Council for a term from five to seven years and may be reappointed. The present Review Officer's term ended in January 2005. The appointment was extended by one year to January 2006.

The Review Office reviews decisions of public bodies on applications for access to records in their custody.

The following is a list of the Review Officer's priorities, found in our 2004-2005 Business Plan and the results of our efforts to reach those priorities.

Priority:

To persuade the legislature of the importance of giving the Review Officer the power to investigate privacy complaints.

Results:

We have had no success in this area although more and more Nova Scotians are becoming aware of their privacy rights as indicated in the number of questions and complaints received by the Review Office. The Review Officer conducted 11 privacy complaints over the past year.

Priority:

To ensure timely responses to request for review and privacy queries.

Results:

The average time between receiving a request for review to issuing a report was 55 days, compared with 75 days the year before.

Privacy queries, usually by telephone, number an average of twelve a week and are answered within an average of two days.

Formal privacy complaints can only be investigated with the cooperation of the public body, without legislature making cooperation a requirement. Most public bodies have cooperated.

Priority:

To raise the profile of the Review Office within public bodies and with the public.

Results:

The Review Office remains constrained by the number of staff (3). However, we have engaged in formal training sessions in conjunction with the Department of Justice, and the Review Officer has spoken to a Barristers' Luncheon meeting, a journalism class of King's College, a law class at Dalhousie University and a Legal Aid Luncheon.

Performance measurement:

The Office continues to improve its data base to allow for the efficient measurement of response times, to track public bodies' decisions, and increased mediation success.

Human Resources:

The Review Office has had no success in persuading government that improving job classifications of the staff is necessary for recruitment.

A request for a full-time assistant to the Review Office to, among other duties, enable the Office to provide service in both official languages was not successful.